



RESOLUTION NO. 2009-156

A RESOLUTION OF THE COUNCIL OF THE CITY OF FRESNO, TO AUTHORIZE THE DEPARTMENT OF PUBLIC UTILITIES TO APPLY FOR \$700,000.00 SAFE DRINKING WATER STATE REVOLVING FUND AMERICAN RECOVERY AND REINVESTMENT ACT (ARRA) FUNDING FROM THE CALIFORNIA DEPARTMENT OF PUBLIC HEALTH FOR THE CONSTRUCTION OF DEPARTMENT OF PUBLIC UTILITIES WATER FACILITIES IN THE HERNDON TOWN AREA AND AUTHORIZE THE DIRECTOR OF PUBLIC UTILITIES OR HIS OR HER DESIGNEE TO EXECUTE ALL NECESSARY DOCUMENTS

WHEREAS, the California Department of Public Health (CDPH) received funding from the American Reinvestment and Recovery Act (ARRA) to provide financing for its Safe Drinking Water State Revolving Fund; and

WHEREAS, the CDPH invited the City of Fresno to submit a complete application for ARRA funding for the construction of the Herndon Town Water System; and

WHEREAS, the City of Fresno has the authority to construct, operate, and maintain City of Fresno Department of Public Utility water facilities in the Herndon Town area; and

WHEREAS, the City of Fresno desires to enhance the provision and protection of the drinking water supplied to the consumers of the Herndon Town neighborhood; and

WHEREAS, the City intends to apply for funding amount of up to \$700,000.00 for the costs of constructing the Herndon Town water system.

NOW, THEREFORE, be it resolved by the Council of the City of Fresno as follows:

1. Authorizes and directs the Director of Public Utilities or his or her designee(s), and each of them as agents of the City of Fresno to sign and file for and on behalf of the City of Fresno, an Application for a financing agreement from the California Department of Public Health for the design and construction of the Herndon Town Water System.
2. Agrees and further does authorize the Director of Public Utilities or his or her designee(s) to certify that the Agency has and will comply with all applicable state and federal statutory and regulatory requirements related to any financing or financial assistance received from the California Department of Public Health.
3. Authorizes the Director of Public Utilities or his or her designee(s) to negotiate and execute financial assistance agreement from the California Department of Public Health and any amendments or change orders thereto.

Adopted _____
Approved 7/16/09
Effective _____

EXHIBIT A

2009-156



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STATE OF CALIFORNIA)
COUNTY OF FRESNO) ss.
CITY OF FRESNO)

I, REBECCA E. KLISCH, City Clerk of the City of Fresno, certify that the foregoing resolution was adopted by the Council of the City of Fresno, at a regular meeting held on the 16th day of July, 2009.

AYES : Brand, Dages, Westerlund, Xiong, Sterling
NOES : None
ABSENT : Borgeas, Perea
ABSTAIN : None

Mayor Approval: N/A, 2009

Mayor Approval/No Return: N/A, 2009

Mayor Veto: N/A, 2009

Council Override Vote: N/A, 2009

REBECCA E. KLISCH
City Clerk

BY: *Rebecca E. Klisch*
~~Deputy~~

APPROVED AS TO FORM:

James C. Sanchez
City Attorney

By *Kathryn Phelan*
Kathryn Phelan

6/23/09
Date